

1 S.33

2 Introduced by Senators Sirotkin and Starr

3 Referred to Committee on Agriculture

4 Date: January 17, 2017

5 Subject: Agriculture; education; farm to school

6 Statement of purpose of bill as introduced: This bill proposes to make
7 multiple amendments to the requirements of the Rozo McLaughlin Farm-to-
8 School Program (Program), including specifying the purpose and State goal of
9 the Program.

10 An act relating to the Rozo McLaughlin Farm-to-School Program

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 6 V.S.A. chapter 211 is amended to read:

13 CHAPTER 211. THE ROZO MCLAUGHLIN

14 FARM-TO-SCHOOL PROGRAM

15 § 4719. PURPOSE AND STATE GOAL

16 (a) Purpose. It is the purpose of this chapter to establish a farm-to-school
17 program to:

18 (1) encourage Vermont residents in developing healthy and lifelong
19 habits of eating nutritious local foods;

1 (2) maximize use by Vermont schools of fresh and locally grown,
2 produced, or processed food;

3 (3) work with partners to establish a food, farm, and nutrition education
4 program that educates Vermont students regarding healthy eating habits
5 through the use of educational materials, classes, and hands-on techniques that
6 inform students of the connections between farming and the foods that
7 students consume;

8 (4) increase the size and stability of direct sales markets available to
9 farmers; and

(5) increase participation of Vermont students in ~~school meal~~ *child*
nutrition programs by increasing the selection of available foods.

10 (b) State Farm-to-School Network goal. It is the goal of the Farm-to-
11 School Program to establish a food system that by 2025:

12 (1) engages 75 percent of Vermont schools in an integrated food system
13 education program that incorporates community-based learning; and

14 (2) purchases 50 percent of food from local or regional food sources.

15 § 4720. DEFINITIONS

16 As used in this chapter, “Farm-to-School Program” means an integrated
17 food, farm, and nutrition education program that utilizes community-based
18 learning opportunities to connect schools with nearby farms so that child
19 nutrition programs can provide students with locally produced fresh fruits and

1 vegetables, dairy and protein products, and other nutritious, locally produced
2 foods; help children develop healthy eating habits; provide nutritional and
3 agricultural education in the classroom, cafeteria, and school community; and
4 improve farmers' incomes and direct access to markets.

5 ~~§ 4721. LOCAL FOODS GRANT PROGRAM~~

6 (a) There is created in the Agency of Agriculture, Food and Markets the
7 Rozo McLaughlin Farm-to-School Program to execute, operate, and award
8 local grants for the purpose of helping Vermont schools develop farm-to-
9 school programs that will sustain relationships with local farmers and
10 producers, enrich the educational experience of students, improve the health of
11 Vermont children, and enhance Vermont's agricultural economy.

12 (b) A school, a school district, a consortium of schools, ~~or~~ a consortium of
13 school districts, or registered or licensed child care providers may apply to the
14 Secretary of Agriculture, Food and Markets for a grant award to:

15 (1) fund equipment, resources, training, and materials that will help to
16 increase use of local foods in the School Food Service Nutrition Program;

17 (2) fund items, including local farm food products, gardening supplies,
18 field trips to farms, gleaning on farms, and stipends to visiting farmers, that
19 will help teachers to use hands-on educational techniques to teach children
20 about nutrition and farm-to-school connections; and

21 ~~(3) provide fund professional development and technical assistance, in~~

1 ~~partnership with the Agency of Education and farm-to-school technical service~~
2 ~~providers, to help teachers, school nutrition personnel, and members of the~~
3 ~~farm-to-school community educate students about nutrition and farm-to-school~~
4 ~~connections and assist schools in developing a farm-to-school program.~~

5 ~~(4) fund technical assistance or support strategies to increase~~
6 ~~participation in federal child nutrition programs that increase viability of~~
7 ~~sustainable meal programs.~~

8 ~~(c) The Secretaries of Agriculture, Food and Markets and of Education and~~
9 ~~the Commissioner of Health, in consultation with farmers, food service~~
10 ~~workers school nutrition staff, and educators, and farm-to-school technical~~
11 ~~service providers jointly shall jointly adopt rules procedures relating to the~~
12 ~~content of the grant application and the criteria for making awards.~~

13 ~~(d) The Secretary shall determine that there is significant interest in the~~
14 ~~school community before making an award and shall give priority~~
15 ~~consideration to schools and school districts and registered or licensed child~~
16 ~~care providers that are developing farm-to-school connections and education~~
17 ~~that indicate a willingness to make changes to their school or child care~~
18 ~~nutrition programs that increase student access and participation and that are~~
19 ~~making progress toward the implementation of the Vermont nutrition and~~
20 ~~fitness policy guidelines School Wellness Policy Guidelines developed by the~~
21 ~~Agency of Agriculture, Food and Markets, the Agency of Education, and the~~

1 ~~Department of Health, dated November 2005 updated in June 2015 or of the~~
2 successor of these guidelines.

3 ~~(e) No award shall be greater than \$15,000.00~~

§ 4721. LOCAL FOODS GRANT PROGRAM

(a) There is created in the Agency of Agriculture, Food and Markets the Rozo McLaughlin Farm-to-School Program to execute, administer, and award local grants for the purpose of helping Vermont schools develop farm-to-school programs that will sustain relationships with local farmers and producers, enrich the educational experience of students, improve the health of Vermont children, and enhance Vermont's agricultural economy.

(b) A school, a school district, a consortium of schools, ~~or a consortium of school districts, or registered or licensed child care providers~~ may apply to the Secretary of Agriculture, Food and Markets for a grant award to:

(1) fund equipment, resources, training, and materials that will help to increase use of local foods in ~~the School Food Service Program~~ child nutrition programs;

(2) fund items, including local ~~farm~~ food products, gardening supplies, field trips to farms, gleaning on farms, and stipends to visiting farmers, that will help ~~teachers~~ educators to use hands-on educational techniques to teach children about nutrition and farm-to-school connections; and

(3) ~~provide fund~~ professional development and technical assistance, in partnership with the Agency of Education and farm-to-school technical service providers, to help teachers, child nutrition personnel, and members of the farm-to-school community educate students about nutrition and farm-to-school connections and assist schools and licensed or registered child care providers in developing a farm-to-school program.

(4) fund technical assistance or support strategies to increase participation in federal child nutrition programs that increase the viability of sustainable meal programs.

(c) The Secretaries of Agriculture, Food and Markets and of Education and the Commissioner of Health, in consultation with farmers, ~~food-service workers~~ child nutrition staff, and educators, and farm-to-school technical service providers jointly shall jointly adopt ~~rules~~ procedures relating to the content of the grant application and the criteria for making awards.

(d) The Secretary shall determine that there is significant interest in the school community before making an award and shall give priority

consideration to schools ~~and~~, school districts, and registered or licensed child care providers that are developing farm-to-school connections and education that indicate a willingness to make changes to their child nutrition programs to increase student access and participation and that are making progress toward the implementation of the Vermont nutrition and fitness policy guidelines School Wellness Policy Guidelines developed by the Agency of Agriculture, Food and Markets, the Agency of Education, and the Department of Health, dated November 2005 updated in June 2015 or of the successor of these guidelines.

(e) No award shall be greater than \$15,000.00.

1 § 4722. FARM ASSISTANCE; SECRETARY OF AGRICULTURE, FOOD
2 AND MARKETS

3 (a) The Secretary of Agriculture, Food and Markets shall work with
4 existing programs and organizations to develop and implement educational
5 opportunities for farmers to help them to increase their markets through selling
6 their products to schools, registered or licensed child care providers, and State
7 government agencies ~~and participating in the federal food commodities~~
8 ~~program, including the federal Department of Defense Fresh Program, and~~
9 ~~selling to regulated child care programs participating in the Adult and Child~~
10 ~~Food Program~~ that operate or participate in child nutrition programs.

11 (b) ~~For the purposes of this section and section 4723 of this title, the~~
12 ~~Secretary may provide funds to one or more technical assistance providers to~~
13 ~~provide farm-to-school education and teacher training to more school districts~~
14 ~~and to assist the Secretaries of Agriculture, Food and Markets and of~~
15 ~~Education to carry out farmer and food service worker training.~~ The Secretary
16 of Agriculture, Food and Markets shall work with distributors that sell

1 products to schools, registered or licensed child care providers, and State
2 government agencies to increase the availability of local products.

3 § 4723. PROFESSIONAL DEVELOPMENT FOR FOOD SERVICE

4 PERSONNEL

5 (a) The Secretary of Education, in consultation with the Secretary of
6 Agriculture, Food and Markets, the Commissioner of Health, and farm-to-
7 school organizations and partners, shall offer ~~expanded regional training~~
8 ~~sessions~~ professional development opportunities for public school food service
9 and child care personnel and child care resource development specialists as
10 ~~funds are made available.~~ Training shall include information about strategies
11 for ~~purchasing~~ procuring, processing, and serving locally grown foods,
12 especially with regard to federal procurement program requirements, as well as
13 information about nutrition, obesity prevention, coping with severe food
14 allergies, universal recycling, and food service operations. The Secretary of
15 Education may use a portion of the funds appropriated for this training session
16 to pay a portion of or all expenses for attendees and to develop manuals or
17 other materials to help in the training.

18 (b) The Secretary of Education shall ~~train people as funds are made~~
19 ~~available to,~~ with existing programs and organizations, provide training related
20 to procurement of local food and technical assistance to school food service
21 and child care personnel and use a portion of the funds appropriated for this

1 purpose to enable the trained people to provide technical assistance at the
2 school and school district levels.

3 (c) Training provided under this section shall promote the policies
4 established in the Vermont ~~nutrition and fitness policy guidelines~~ School
5 Wellness Policy Guidelines developed by the Agencies of Agriculture, Food
6 and Markets and of Education and the Department of Health, ~~dated November~~
7 ~~2005~~ updated in June 2015, or the guidelines' successor.

8 § 4724. ~~LOCAL FOODS COORDINATOR~~ FOOD SYSTEMS

9 ADMINISTRATOR

10 (a) The position of ~~local food coordinator~~ Food Systems Administrator is
11 established in the ~~agency of agriculture, food and markets~~ Agency of
12 Agriculture, Food and Markets for the purpose of assisting Vermont producers
13 ~~to increase in increasing~~ their access to commercial markets and institutions,
14 including schools, ~~state~~ registered or licensed child care providers, State and
15 municipal governments, and hospitals.

16 (b) The duties of the ~~local foods coordinator~~ Food Systems Administrator
17 shall include:

18 (1) working with institutions, schools, registered or licensed child care
19 providers, distributors, producers, commercial markets, and others to create
20 matchmaking opportunities that increase the number of Vermont institutions
21 that purchase foods grown or produced in Vermont;

1 (2) coordinating funding and providing support to the farm-to-school
2 and farm-to-institutions programs within the ~~agency of agriculture, food and~~
3 ~~markets~~ Agency of Agriculture, Food and Markets, and coordinating with
4 interested parties to access funding or create matchmaking opportunities across
5 the supply chain that increase participation in those programs;

6 (3) encouraging and facilitating ~~the enrollment of state employees~~ State
7 employee access and awareness of opportunities for purchasing local food,
8 including: enrollment in a local community supported agriculture (CSA)
9 organization, purchasing from local farm stands, and participation in a
10 farmers' market;

11 (4) developing a database of producers and potential purchasers and
12 enhancing the ~~agency's website~~ Agency's and partners' ability to improve and
13 support local foods coordination through the use of information
14 technology; and

15 (5) providing technical support to local communities with their food
16 security efforts.

17 (c) ~~The local foods coordinator~~ Food Systems Administrator, working with
18 ~~the commissioner of buildings and general services~~ Commissioner of
19 Buildings and General Services pursuant to rules adopted under 29 V.S.A.
20 § 152(14), shall:

21 (1) encourage and facilitate ~~CSA enrollment~~ awareness of and

1 opportunities to procure healthy local foods by ~~state~~ State employees through
2 the use of approved advertisements and solicitations on ~~state-owned~~ State-
3 owned property; and

4 (2) implement guidelines for the appropriate use of ~~state~~ State property
5 for employee participation in CSA organizations, including reasonable
6 restrictions on the time, place, and manner of solicitations, advertisements,
7 deliveries, and related activities to ensure the safety and welfare of ~~state~~ State
8 property and its occupants.

9 (d) ~~The local foods coordinator~~ Food Systems Administrator shall
10 administer a local foods grant program, the purpose of which shall be to
11 provide grants to allow Vermont producers to increase their access to
12 commercial and institutional markets.

13 Sec. 2. 16 V.S.A. § 559 is amended to read:

14 § 559. PUBLIC BIDS

15 (a) When the cost exceeds \$15,000.00. A school board or supervisory
16 union board shall publicly advertise or invite three or more bids from persons
17 deemed capable of providing items or services if costs are in excess of
18 \$15,000.00 for any of the following:

19 (1) the construction, purchase, lease, or improvement of any school
20 building;

21 (2) the purchase or lease of any item or items required for supply,

1 equipment, maintenance, repair, or transportation of students; or

2 (3) a contract for transportation, maintenance, or repair services.

3 * * *

4 (e) Application of this section. Any contract entered into or purchase made
5 in violation of the provisions of this section shall be void; provided, however,
6 that:

7 * * *

8 (4) ~~nothing~~ Nothing in this section shall be construed to prohibit a
9 school board from awarding a school nutrition contract after using any method
10 of bidding or requests for proposals permitted under federal law for award of
11 the contract; Notwithstanding the monetary amount in subsection (a) of this
12 section for which a school board is required to advertise publicly or invite
13 three or more bids or requests for proposal, a school board is required to
14 publicly advertise or invite three or more bids or requests for proposal for
15 purchases made from the nonprofit school food service account for purchases
16 in excess of \$25,000.00, unless a municipality sets a lower threshold for
17 purchases from the nonprofit school food service account.

18 * * *

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1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on July 1, 2017.